

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**BRUNELLA TAYLOR**

**CIVIL ACTION NO: 6:21-cv-1579**

**VERSUS**

**JUDGE:**

**WALMART INC., ET AL.**

**MAGISTRATE:**

**NOTICE OF REMOVAL AND JURY DEMAND**

TO: Lysandra Taylor– Deputy-in-Charge  
United States District Court  
Western District of Louisiana  
John M. Shaw United States Courthouse  
800 Lafayette Street, Suite 2100  
Lafayette, LA 70501

Mr. Keith P. Saltzman  
Anderson, Dozier, Blanda & Saltzman  
2010 W. Pinhook Road  
Lafayette, LA 70508

NOW INTO COURT, through undersigned counsel, comes WALMART INC. and WALMART LOUISIANA, LLC (sometimes hereinafter collectively referred to as “Walmart”) defendants in the above entitled cause, and appearing solely for the purpose of presenting this Notice of Removal of the above entitled cause to this Honorable Court under the provisions of 28 U.S.C. § 1441, *et seq.*, and reserving all rights, respectfully shows as follows:

1.

This suit was filed by plaintiff in the 15<sup>th</sup> Judicial District Court, Docket No. C-202005869, Lafayette Parish, Louisiana, on November 24, 2020. (Ex. A).

2.

Defendants filed an answer to the petition on December 21, 2020. (Ex. B).

3.

Plaintiff is a citizen of Louisiana. (Ex. A).

4.

Defendant Wal-Mart Louisiana, LLC is a Delaware limited liability company with its principal place of business in Bentonville, Arkansas, and its sole member or owner being Wal-Mart Stores East, LP, a Delaware limited partnership with its principal place of business in Bentonville, Arkansas and which is composed of two partners, namely WSE Management, LLC (GP) and WSE Investment, LLC (LP), both Delaware limited liability companies with their principal place of business in Bentonville, Arkansas, and the sole member of said two limited liability companies is Wal-Mart Stores East, Inc., an Arkansas corporation with its principal place of business in Bentonville, Arkansas. All shares of stock in Wal-Mart Stores East, Inc. are owned by defendant Walmart Inc., a Delaware corporation with its principal place of business in Bentonville, Arkansas, which is a publicly held company.

5.

In her Petition, plaintiff alleges that a “Walmart employee pushing a cart . . . did not see her and collided into her cart causing neck pain and other injuries.” (Ex. A, ¶ 3).

6.

Consistent with Louisiana law, in her Petition plaintiff does not allege any specific monetary amount of the value of her claims.

7.

On May 18, 2021, defendant received plaintiff’s Answers to Interrogatories and Responses to Requests for Production. (Ex. C).

8.

In response to Walmart's Interrogatory No. 15, plaintiff asserts, for the first time, that the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs. Id.

9.

Based on plaintiff's Answer to Interrogatory No. 15, Walmart alleges the amount in controversy in this suit exceeds \$75,000.00, exclusive of interest and costs.

10.

Pursuant to 28 USC § 1446(b), this Notice of Removal is timely because plaintiff's Answer to Interrogatory No. 15, received by Wal-Mart on May 18, 2021, constitutes an "other paper from which it was first ascertained that the case is one which is or has become removable," and the Notice of Removal is filed within one year after the commencement of the action.

11.

The Court has jurisdiction of this cause of action under 28 USC § 1332.

12.

The proper court for removal is the United States District Court for the Western District of Louisiana.

13.

Defendant requests a trial by jury as to all issues triable by a jury.

14.

Defendant further shows unto the Court that immediately upon the filing of this Notice of Removal, a copy of same shall be served upon all adverse parties and a copy filed with the Clerk of the 15<sup>th</sup> Judicial District Court, Lafayette Parish, Louisiana, all in accordance with 28 USC § 1446(d).

15.

Pursuant to Rule 11 of the Federal Rules of Civil Procedure, undersigned counsel certifies that he has read the foregoing Notice of Removal, that, to the best of his knowledge, information, and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law or good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the costs of litigation.

WHEREFORE, Wal-Mart Louisiana, LLC and Walmart Inc. remove the above-entitled case from the state court to this Court.

Respectfully submitted,

**CHADWICK & ODOM, LLC**

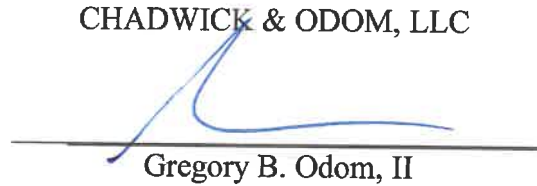
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Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing pleading has been served upon all counsel of record by placing same in the U.S. Mail, postage prepaid and properly addressed, or by fax, or by email, this 9<sup>th</sup> day of June 2021.

CHADWICK & ODOM, LLC



Gregory B. Odom, II